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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,178	03/05/2002	Teng Pin Poo	1601457-0013	7556

7590 02/22/2005

White & Case LLP
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1155 Avenue of the Americas
New York, NY 10036

EXAMINER

CASIANO, ANGEL L

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/092,178	POO ET AL.	
	Examiner	Art Unit	
	Angel L Casiano	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/29/04</u> | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

The present Office action is in response to Amendment dated 27 September 2004.

Claims 1-14 are pending.

Information Disclosure Statement

1. The information disclosure statement (IDS) received on 29 September 2004 was filed after the mailing date of the Office action. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

2. Previous Objection to the Drawings has been overcome with the corrections filed in the present Amendment.

Specification

3. Previous Objection to the Title has been overcome with the corrections filed in the present Amendment.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole

Art Unit: 2182

would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gotanda [JP 2002232769 A] in view of Makela et al. US [2003/0157959 A1].

Regarding claim 1, Gotanda explicitly teaches a portable camera device capable of operation with a host platform (see Title; Abstract). The cited portable device includes a housing, a coupling device for a serial bus (see *USB connector* “46”) as well as non-volatile memory (see Figure 1, “15”). Gotanda teaches a *digital camera* (see Title) for capturing and storing information. The portable device (see *digital camera*) disclosed by Gotanda includes a microprocessor (see Figure 4). Image data is formatted into a compatible file format for the host platform (see *circuit* “65”; Figure 4). However, the Gotanda reference fails to teach a camera having a *USB plug* adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed. As to this limitation, Makela et al. teaches a portable device having a *USB plug integrally adapted* to its housing (see Figures 8-9; Page 5, claims 14, 19, and 23). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a portable apparatus having the option of directly connecting its USB plus to a personal computer, as taught by Makela et al.

As for claim 2, Gotanda teaches a flash memory card as part of the non-volatile memory (see Figure 1, “15”).

Art Unit: 2182

As for claim 3, Gotanda teaches connection to a USB port (Figure 2, "46") of a host platform.

As for claims 4-7, Gotanda teaches a portable device (digital camera) for capturing and storing image information (see Figure 1, "5"; Figure 2, "22"). The reference does not explicitly mention JPEG, GIF, PICT II and MPEG file formats. Nonetheless, it would have been obvious to one of ordinary skill in the art at the time of the invention to specify the image and/or audio data to be in a known file format. It is well known in the art that JPEG, GIF, PICT II and MPEG file formats are commonly used for data (audio or image). Therefore, in order to apply the portable device disclosed by Gotanda to common platforms (e.g. PC or Macintosh) one of ordinary skill in the art would have been motivated to use image and/or audio data in a well known file format.

As for claim 8, Gotanda teaches the portable device as receiving power and providing power to the components of the device (see Figures 1, 2).

As per claim 9, Gotanda teaches providing power to the components of the portable device (see Figures 1, 2 and 4).

Regarding claim 10, Gotanda explicitly teaches a portable device capable of operation with a host platform (see Title; Abstract). The cited portable device includes a coupling device for a serial bus (see *USB connector* "46") as well as non-volatile memory (see Figure 1, "15"). Gotanda teaches a *digital camera* (see Title) for capturing and storing information. The reference does not explicitly teach a *flexible communications cable*. Nonetheless, it does disclose a USB connector. It would have been obvious to one of ordinary skill in the art, at the time of the invention, that the USB connector would connect the portable device to an external

Art Unit: 2182

component. Accordingly, USB cables are well known to be *flexible*. However, the Gotanda reference does not teach a portable camera having a *USB plug* adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed. Regarding this limitation, Makela et al. teaches a portable, hand-held device having a *USB plug integrally adapted* to its housing (see Figures 8-9; Page 5, claims 14, 19, and 23). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a portable apparatus having the option of directly connecting its USB plus to a personal computer, as taught by Makela et al.

As for claim 11, the portable device (see *digital camera*) disclosed by Gotanda includes a microprocessor (see Figure 4). Image data is formatted into a compatible file format for the host platform (see *circuit "65"*; Figure 4).

Regarding claim 12, Gotanda explicitly teaches a portable device capable of operating with a host platform (see Title; Abstract). Accordingly, the cited reference also teaches the *method* for capturing and uploading the image and/or audio information. The prior portable device includes a coupling device for a serial bus (see *USB connector "46"*). In addition Gotanda teaches the steps of capturing, digitizing and processing information. Image data is formatted (*processed*) into a compatible file format for the host platform (see *circuit "65"*; Figure 4). The information is then *uploaded* to the host platform (see Abstract). However, the Gotanda reference fails to teach a camera having a *USB plug* adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed. As to this limitation, Makela et al. teaches a portable device having a *USB plug integrally adapted* to its housing (see Figures 8-9; Page 5, claims 14, 19, and 23). At the time of the

Art Unit: 2182

invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a method for a portable apparatus having the option of directly connecting its USB plus to a personal computer, as taught by Makela et al.

As for claim 13, Gotanda explicitly teaches storing the image and/or audio data in memory (see Figure 4).

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Foster [US 2002/0145507 A1] in view of Makela et al. [US 2003/0157959 A1].

Regarding claim 14, Foster explicitly teaches a method (see Abstract) for authenticating an operator seeking access to information on a storage medium. Foster teaches the steps of capturing data via a digital camera (see Figure 1, “16”; Page 1, [0001]; Page 3, “claims 1, 9 and 13”), comparing the data against a stored template (see Figure 4) and allowing access to the information if the data matches the stored template upon a comparison (see “claim 13”; Figure 4, “66”). The Foster reference fails to teach a camera having a *USB plug* adapted to the housing of the portable camera to facilitate direct coupling of the camera via the USB plug to USB socket of the host platform, as claimed. As to this limitation, Makela et al. teaches a portable device having a *USB plug integrally adapted* to its housing (see Figures 8-9; Page 5, claims 14, 19, and 23). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain a method for a portable apparatus having the option of directly connecting its USB plus to a personal computer, as taught by Makela et al.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Ehara [US 20020069237 A1] teaches an external device, such as a digital camera, which supplies information may be connected to an IEEE 1394 port or a USB port of the computer and used instead of a memory stick or a similar medium.
- Bateman et al. [US 20020194414 A1] teaches method and system for transferring data between a digital camera and a host.
- Wu [US 20030103369 A1] teaches an extensible/retractable and storable portable memory device wherein the adapter is a USB plug.
- Margalit et al. [US 6,748,541 B1] teaches a USB plug device including a CPU and a non-ISO7816 memory.

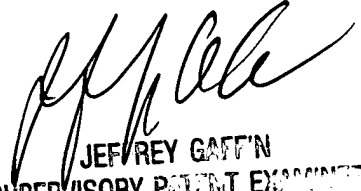
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2182

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alc
18 February 2005



JEFFREY GAFFIN
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